

Remarks

Claims 18-30 and 163-173 and 176 are pending in the Application.

Claims 18-30, 163-167 and 176 are allowed.

Claims 168-170 and 173 are rejected.

Claims 171 and 172 are objected to.

I. PROVISIONAL OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTIONS

The Examiner has provisionally rejected Claims 168-170 and 173 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 92-94 of copending United States Patent Application Serial No. 10/027,671. Office Action, at 2.

Applicant traverses these rejections. However, to facilitate prosecution of the Application, Applicant hereby responds with the enclosed Terminal Disclaimer to moot these provisional rejections.

II. ALLOWABLE CLAIMS

Examiner has allowed Claims 18-30, 163-167 and 176. Office Action, at 2.

III. CLAIMS OBJECTED TO

Claims 171-172 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Office Action, at 3. Claim 171 depends from Claim 168 and Claim 172 depends from Claim 171. Claim 168 is no longer provisionally rejected in view of the terminal disclaimer contemporaneously filed herewith. Accordingly, Claims 171-172 no longer depend from a rejected claim and thus are in allowable form.

IV. CONCLUSION

As a result of the foregoing, it is asserted by Applicant that the Claims in the Application are now in a condition for allowance, and respectfully request allowance of such Claims.

Applicant respectfully requests that the Examiner call Applicant's attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,

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